

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 35818

STATE OF IDAHO,	)	2009 Unpublished Opinion No. 622
	)	
Plaintiff-Respondent,	)	Filed: September 29, 2009
	)	
v.	)	Stephen W. Kenyon, Clerk
	)	
GARY A. ROOT,	)	THIS IS AN UNPUBLISHED
	)	OPINION AND SHALL NOT
Defendant-Appellant.	)	BE CITED AS AUTHORITY
	)	

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Appeal from the District Court of the Sixth Judicial District, State of Idaho, Bannock County. Hon. David C. Nye, District Judge.

Judgment of conviction and unified sentence of fifteen years, with a minimum period of confinement of three years, for lewd conduct with a child under sixteen, affirmed.

Molly J. Huskey, State Appellate Public Defender; Diane M. Walker, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

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Before LANSING, Chief Judge; PERRY, Judge;  
and GRATTON, Judge

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PER CURIAM

Gary A. Root pled guilty to lewd conduct with a child under sixteen. I.C. § 18-1508. In exchange for his guilty plea, additional charges including an allegation that Root was a persistent violator were dismissed. The district court sentenced Root to a unified term of fifteen years, with a minimum period of confinement of three years. Root appeals.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. See *State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App.

1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Root's judgment of conviction and sentence are affirmed.